

Notice of Allowability	Application No.	Applicant(s)	
	09/992,283	CONNOR ET AL.	
	Examiner	Art Unit	
	C. Michelle Tarae	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed November 28, 2007.
2. ☒ The allowed claim(s) is/are 1-3, 7-14, 18-25 and 29-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

ALLOWANCE

1. The following is an Allowance in response to the Amendment submitted on November 28, 2007.

Claims 1 and 35 have been amended.

Claims 1-3, 7-14, 18-25 and 29-35 are now pending in this application.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven J. Laureanti (50,274) on December 5, 2007.

In claim 1:

In claim 1, lines 3-4:

delete --for executing--

insert in its place --programmed with--

Reasons for Allowance

3. Claims 1-3, 7-14, 18-25 and 29-35 are allowed.
4. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a system, method and software for risk assessment comprising: generating a risk factor category scorecard for display, the risk factor category scorecard providing at least one of a plurality of risk factor categories and data associated with each of the plurality of risk factor categories, *the data selected from the group consisting of a category actual score, a category maximum score, and a category percentage risk, wherein the category percentage risk is determined by: determining a quotient of the category actual score and the category maximum score, the category actual score reflecting the sum of the actual scores of all risk factors within a risk factor category, the category maximum score reflecting the sum of the maximum scores of all risk factors within a risk factor category; determining the quotient by dividing the category actual score by the category maximum score; and determining the category percentage risk by multiplying the quotient by one hundred*, as recited in independent claims 1, 12, 23, 34 and 35.

Examiner notes the allowable subject matter is best illustrated in Figures 2-4, where each subsequent figure uses data computed in the previous figure to ultimately calculate the category percentage risk. For example, Figures 2 and 3A-3F represent risk data such as importance value, maximum score, actual score, potential weighted score, actual weighted score and risk level, calculated for each risk factor in each risk factor category. Figure 4 uses the sums of the category actual score and category

maximum score for each risk factor category computed in Figures 2 and 3A-3F to ultimately calculate the category percentage risk.

The prior art most closely resembling Applicant's claimed invention are as follows: Heinrich (U.S. 6,895,383) and Schwartz (U.S. 2003/0037063).

Heinrich teaches assessing overall risk in an information technology system. Risks are placed into risk severity echelon bands, assigned risk factor values and summed to determine an overall risk. However, Heinrich et al. does not disclose generating a risk factor category scorecard for display, the risk factor category scorecard providing at least one of a plurality of risk factor categories and data associated with each of the plurality of risk factor categories, *the data selected from the group consisting of a category actual score, a category maximum score, and a category percentage risk, wherein the category percentage risk is determined by: determining a quotient of the category actual score and the category maximum score, the category actual score reflecting the sum of the actual scores of all risk factors within a risk factor category, the category maximum score reflecting the sum of the maximum scores of all risk factors within a risk factor category; determining the quotient by dividing the category actual score by the category maximum score; and determining the category percentage risk by multiplying the quotient by one hundred*, as recited in independent claims 1, 12, 23, 34 and 35.

Schwartz teaches risk assessment, monitoring and management for individuals working in high-risk environments. Values are assigned to risk categories leading to a

risk score. However, Schwartz does not disclose generating a risk factor category scorecard for display, the risk factor category scorecard providing at least one of a plurality of risk factor categories and data associated with each of the plurality of risk factor categories, *the data selected from the group consisting of a category actual score, a category maximum score, and a category percentage risk, wherein the category percentage risk is determined by: determining a quotient of the category actual score and the category maximum score, the category actual score reflecting the sum of the actual scores of all risk factors within a risk factor category, the category maximum score reflecting the sum of the maximum scores of all risk factors within a risk factor category; determining the quotient by dividing the category actual score by the category maximum score; and determining the category percentage risk by multiplying the quotient by one hundred*, as recited in independent claims 1, 12, 23, 34 and 35.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-

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6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


C. MICHELLE TARAE
PRIMARY EXAMINER

December 5, 2007